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# Appeal Decision

Site visit made on 26 July 2022

**by C Hall BSc MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19TH August 2022**

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**Appeal Ref: APP/P5870/D/22/3300981**

**32 New Road, Sutton, Mitcham Junction CR4 4JL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr David Thayaparan Mariampillai against the decision of the Council of the London Borough of Sutton.
  - The application Ref DM2022/00469, dated 11 March 2022, was refused by notice dated 16 May 2022.
  - The proposed development is for erection of a part one, part two storey rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a part one, part two storey rear extension at 32 New Road, Sutton, Mitcham Junction CR4 4JL in accordance with the terms of the application, Ref DM2022/00469, dated 11 March 2022, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, TSL/DAV/32H/01, TSL/DAV/32H/04, TSL/DAV/32H/05, TSL/DAV/32H/06, TSL/DAV/32H/07
  - 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.
  - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be installed in the first floor side elevations of the development hereby permitted.
  - 5) Apart from the excavation of foundation trenches, no development hereby permitted shall commence until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

## Main Issues

2. The main issues are the effect of the development on a) the character and appearance of the dwelling and the surrounding area; and b) drainage provision.

## Reasons

### *Character and appearance*

3. The appeal site relates to a semi-detached, two-storey house on New Road with a driveway and off-street parking to the front. The surrounding neighbourhood is predominantly residential in nature.
4. The proposal is for part single, part two-storey rear extensions, with the resultant scheme incorporating a modest projection at first floor level. In my view, the extent of development would be sympathetic to the scale of the existing dwelling and those properties in the surrounds. The ground floor element would be relatively diminutive in scale with a flat roof to minimise its impact. The first floor projection would visually connect with the overall appearance of the dwelling, lying flush with the existing roof pitch to the side of the main residence and without dominating it or resulting in an imbalance, and respond to the original design features. The considerable variety in the appearance of houses in the area ensures that the additions would assimilate without causing undue harm to the spatial quality of the locale.
5. I conclude that the scheme would not result in harm to the character and appearance of the dwelling and the surrounding area. It would meet Policies 28 and 30 of the Sutton Local Plan 2018 (LP), Policy D4 of the London Plan 2021, Policies H and BEP1 of the Hackbridge and Beddington Corner Neighbourhood Plan 2018, and the advice in the Council's Supplementary Planning Document 4: The Design of Residential Extensions and Supplementary Planning Document 14 'Creating Locally Distinctive Places'. Collectively these seek to secure new development of acceptable scale and appearance.

### *Drainage*

6. To reduce flood risk from new development, LP Policy 32 requires applications for major development to be accompanied by a Flood Risk Assessment. Part b to the policy also states that new development should incorporate effective sustainable drainage systems to manage surface water run-off which should aim to achieve minimum performance standards through the application of the Mayor's Drainage Hierarchy.
7. I am satisfied that the detailed design of a site drainage strategy is a matter that could be resolved through the imposition of a planning condition. This would ensure that the scheme would meet the provisions of Policy 32 of the LP and manage surface water run-off.

## Conditions

8. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning (a corrected right-side elevation plan - ending 04- has been provided by the appellant).
9. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance, and a restriction on side windows in the first floor side elevations of the scheme would protect the living conditions of the occupants of neighbouring properties. Finally a drainage

condition is required to prevent flood risk and ensure surface water is disposed of appropriately.

**Conclusion**

10. Based on the preceding, the appeal is allowed.

*C Hall*

INSPECTOR